

Governor's Executive Orders/Proclamations

**EXECUTIVE ORDERS, PROCLAMATIONS OF
GENERAL APPLICABILITY, AND STATEMENTS
ISSUED BY THE GOVERNOR
PURSUANT TO A.R.S. § 41-1013(B)(3)**

The Administrative Procedure Act (APA) requires the full-text publication of all Executive Orders and Proclamations of General Applicability issued by the Governor. In addition, the *Register* shall include each statement filed by the Governor in granting a commutation, pardon or reprieve, or stay or suspension of execution where a sentence of death is imposed. With the exception of egregious errors, content (including spelling, grammar, and punctuation) of these orders has been reproduced as submitted.

*** SCHOOL COUNSELING WEEK ***

[M12-08]

WHEREAS, school counselors are employed in public and private schools to help students reach their full potential; and

WHEREAS, school counselors are actively committed to helping students explore their abilities, strengths, interests, and talents as these traits relate to career awareness and development; and

WHEREAS, school counselors help parents focus on ways to further the educational, personal, and social growth of their children; and

WHEREAS, school counselors work with teachers and other educators to help students explore their potential and set realistic goals for themselves; and

WHEREAS, school counselors seek to identify and utilize community resources that can enhance and complement comprehensive school counseling programs and help students become productive members of society; and

WHEREAS, comprehensive developmental school counseling programs are considered an integral part of the educational process that enables all students to achieve success in school.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim the week of February 6-11, 2012 as

*** SCHOOL COUNSELING WEEK ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this twelfth day of January in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** ARIZONA AVIATION DAY ***

[M12-07]

WHEREAS, an efficient and reliable aviation system is a critical element of Arizona's overall transportation system and the vitality of our State's economy; and

WHEREAS, the aviation industry has an estimated \$38.5 billion impact on Arizona's economy; and

WHEREAS, over the next twenty years the total number of passengers at all twelve commercial service airports in the State is expected to nearly double; as well as the amount of cargo passing through our airports is expected to nearly double; and

WHEREAS, the total number of general aviation aircraft based in Arizona is expected to increase by more than 30 percent over the next twenty years.

Arizona Administrative Register / Secretary of State
Governor's Executive Orders/Proclamations

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim January 18, 2012 as

*** ARIZONA AVIATION DAY ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this seventeenth day of January in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** ARIZONA SCHOOL CHOICE WEEK ***

[M12-12]

WHEREAS, as parents, we desire the best education possible for our children; and

WHEREAS, citizens across Arizona agree that improving the quality of education in Arizona and expanding access to great schools is an issue of immense importance; and

WHEREAS, Arizona is a leader in innovative school choice options for students, parents, and families; and

WHEREAS, Arizona offers an array of high-quality public schools, public charter schools, private schools, and home-schooling options; and

WHEREAS, Arizona students may attend any public school of their choice, consistent with a long-standing and highly utilized system of open enrollment; and

WHEREAS, Arizona has a higher percentage of students in public charter schools than any state in the union; and

WHEREAS, last year thousands of Arizona students attended a private school education as a result of contributions to school tuition organizations; and

WHEREAS, Arizona students have exceptional opportunities to study in alternative learning environments including virtual online instruction; and

WHEREAS, education reform is vital to all of Arizona's citizens, transcending ideology and political party affiliation.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim January 22-28, 2012 as

*** ARIZONA SCHOOL CHOICE WEEK ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this twentieth day of January in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** ARIZONA ARCHAEOLOGY AND HERITAGE AWARENESS MONTH ***

[M12-37]

WHEREAS, Arizona's heritage is rich in cultural diversity as represented by numerous archaeological, historical, and traditional (Native American and other ethnicities) sites within our State; and

WHEREAS, preservation of prehistoric and historic archaeological sites, as well as traditional properties, provides significant educational, cultural, and economic benefits to all citizens; and

WHEREAS, all citizens of Arizona are encouraged to be aware of the fragility of our cultural resources, and to take an active part in their protection; and

WHEREAS, knowledge and understanding of our past is threatened by wanton and illegal destruction of archaeological sites and traditional properties by pothunters and vandals; and

WHEREAS, many professional and avocational archaeologists, Native Americans, and other citizens volunteer their time and efforts to preserve and protect Arizona's unique archaeological resources; and

WHEREAS, through the Governor's Archaeology Advisory Commission and the volunteer Site Steward Program, the State has joined with city, county, federal, and tribal officials, museums, archaeologists, historians, private citizens, and others to enhance public awareness of and concern for protecting Arizona's rich cultural heritage; and

WHEREAS, Archaeology and Heritage Awareness Month provides an opportunity for all Arizonans to reflect on our past and the role archaeologists and historians play in revealing and understanding the unique legacy of our State; and

WHEREAS, the theme of this year's celebration is "Connecting Past and Present: Celebrating Arizona's Centennial" as a special effort to raise awareness about Arizona's more recent history.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim March 2012 as

*** ARIZONA ARCHAEOLOGY AND HERITAGE AWARENESS MONTH ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this twenty-sixth day of January in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** ARIZONA GREEN WEEK 2012 ***

[M12-32]

WHEREAS, National Green Week 2012 is an annual event to educate children on the importance of sustainability and making eco-friendly choices to help the environment; and

WHEREAS, this event is an expansion of the National Green Week 2011 program, whereby more than five million students participated in sustainability education programs and activities; and

WHEREAS, National Green Week 2012 encourages schools and students to develop good waste reduction and recycling practices, and to conserve energy at school and at home; and

WHEREAS, the objective of National Green Week 2012 is to empower children to become environmental stewards to protect our planet's natural resources; and

WHEREAS, millions of students and thousands of schools nationwide will participate in National Green Week 2012 events; and

Arizona Administrative Register / Secretary of State
Governor's Executive Orders/Proclamations

WHEREAS, working together, students, parents and communities can participate in sustainable practices that will have a measurable impact on our environment.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim February 5-10, 2012 as

*** ARIZONA GREEN WEEK 2012 ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this twenty-sixth day of January in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** ARIZONA PROBLEM GAMBLING AWARENESS WEEK ***

[M12-34]

WHEREAS, many forms of legalized gaming exist in Arizona, including the Arizona Lottery, Indian gaming, pari-mutuel racing, bingo, charitable gambling, amusement gambling, and social gambling; and

WHEREAS, Arizona's Indian gaming provides substantial funds for problem gambling programs throughout the State; and

WHEREAS, the Arizona Department of Gaming's Office of Problem Gambling administers problem gambling funds to provide and support effective problem gambling prevention, education, and treatment programs throughout Arizona; and

WHEREAS, since 1998, the Arizona Lottery has had a formal statewide responsible gambling program; and

WHEREAS, beginning in 1999, the Arizona Legislature has continuously appropriated Arizona Lottery revenues to be used specifically for problem gambling programs; and

WHEREAS, the Arizona Council on Compulsive Gambling, Inc., an Arizona non-profit, has provided compulsive gambling, education, awareness, and prevention programs in Arizona since 1994; and

WHEREAS, the National Council on Problem Gambling and the Association of Problem Gambling Service Administrators have declared the week of March 4th through March 10th as National Problem Gambling Awareness Week; and

WHEREAS, through programming and education, potential and existing gambling related problems can be addressed by individuals, organizations, and state and tribal governments.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim March 4-10, 2012 as

*** ARIZONA PROBLEM GAMBLING AWARENESS WEEK ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this twenty-sixth day of January in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

Governor's Executive Orders/Proclamations

*** ARIZONA PURCHASING MONTH ***

[M12-31]

WHEREAS, the purchasing and supply management profession plays a significant role in the quality, efficiency, profitability and productivity of business and government throughout the United States; and

WHEREAS, the purchasing and supply management profession works for public, private, and non-profit organizations; and

WHEREAS, in addition to the purchase of commodities and services, the purchasing and supply management profession engages in, and/or has direct responsibility for functions such as the following: executing, implementing, and administering contracts, developing forecasts and procurement strategies, supervising and/or monitoring the flow and storage of materials, and establishing working relationships with suppliers and other departments within organizations; and

WHEREAS, the purchasing and supply management profession has tremendous influence on the nation's economy, with an accumulative purchasing power running into the billions of dollars; and

WHEREAS, purchasing or procurement operations range from one person to several thousand within their respective organizations; and

WHEREAS, the Arizona State Capitol Chapter of the National Institute of Governmental Purchasing (NIGP) and other associations around the globe are holding activities and special events to further educate and inform the general public on the role of purchasing within business, industry, and government.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim March 2012 as

*** ARIZONA PURCHASING MONTH ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this twenty-sixth day of January in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** ENGINEERS WEEK ***

[M12-33]

WHEREAS, professional engineers have made significant contributions to Arizona throughout our history and are responsible through their creativity and expertise for technological achievements that have improved the quality of our lives and helped us compete in an increasingly complex world; and

WHEREAS, Arizona is home to several thousand licensed professional engineers who hold major responsibilities for the benefit and protection of Arizona citizens in the areas of public safety, health, welfare, the environment, transportation, structures, water, power, and communications, as well as mechanical, electrical and electronic devices important to everyday life; and

WHEREAS, there currently are hundreds of students enrolled in colleges of engineering on the campuses of Arizona's major universities, whose graduates have gone on to contribute to the economic health of our state and nation; and

WHEREAS, engineers contribute to the education of our young people, especially in the fields of mathematics and science, to meet even greater challenges in the future.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim February 19-25, 2012 as

*** ENGINEERS WEEK ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this twenty-sixth day of January in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** NUTRITION MONTH ***

[M12-36]

WHEREAS, food is the substance by which life is sustained; and

WHEREAS, the type, quality, and amount of food that individuals consume each day plays a vital role in their overall health and physical fitness; and

WHEREAS, there is a need for continuing nutrition education and a wide-scale effort to enhance good eating practices.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim March 2012 as

*** NUTRITION MONTH ***

and encourage all citizens to join the campaign and become concerned about their nutrition and the nutrition of others in the hope of achieving optimum health for both today and tomorrow.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this twenty-sixth day of January in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** REGISTERED DIETITIAN DAY ***

[M12-35]

WHEREAS, Registered Dietitians are the food and nutrition experts who can translate the science of nutrition into practical solutions for healthy living; and

WHEREAS, Registered Dietitians have degrees in nutrition, dietetics, public health or a related field from well-respected, accredited colleges and universities, completed an internship and passed an examination; and

WHEREAS, Registered Dietitians use their nutrition expertise to help individuals make unique, positive lifestyle changes; and

WHEREAS, Registered Dietitians work throughout the community in hospitals, schools, public health clinics, nursing homes, fitness centers, food management, food industry, universities, research and private practice; and

WHEREAS, Registered Dietitians are advocates for advancing the nutritional status of Americans and people around the world.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim March 14, 2012 as

*** REGISTERED DIETITIAN DAY ***

and encourage all citizens to recognize the contributions of Registered Dietitians and express appreciation for their commitment to promoting science-based nutrition in the hope of achieving optimum health for both today and tomorrow.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this twenty-sixth day of January in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

EXECUTIVE ORDER 2011-05

State Regulatory Rule Making Review and Moratorium To Promote Job Creation and Retention

Editor's Note: This Executive Order is being reproduced in each issue of the Administrative Register until its expiration on June 30, 2012 as a notice to the public regarding state agencies' rulemaking activities.

[M11-234]

WHEREAS, my first official action as Governor was to institute a regulatory rule making review and moratorium process ("regulatory review and moratorium") in order to prevent additional and unnecessary burdens on our private sector employers and political subdivisions; and

WHEREAS, other states have since implemented regulatory reviews and moratoriums; and

WHEREAS, the economic climate in Arizona continues to challenge both those seeking employment and our employers, who are the key to increasing job opportunities in this State; and

WHEREAS, a predictable regulatory climate in this State will promote job creation and retention; and

WHEREAS, the Legislature enacted the regulatory review and moratorium for fiscal year 2009 - 2010 by passing House Bill 2008 in the 2009 Third Special Session; and

WHEREAS, the Legislature continued the regulatory review and moratorium for fiscal year 2010 - 2011 by passing House Bill 2260 in the 2010 Second Regular Session; and

WHEREAS, the current regulatory review and moratorium expires on June 30, 2011; and

WHEREAS, the expiration of the current regulatory review and moratorium could result in a regulatory explosion detrimental to job creation and retention in this State; and

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this State, hereby declare that for fiscal year 2011-2012 ending June 30, 2012, the following:

1. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any rule making except as permitted by this Order. The objective of this Order is eliminate any unnecessary increased monetary or regulatory costs on employers, persons, individuals, other state agencies, or political subdivisions of this State. This prohibition includes any informal rule making prior to the commencement of the formal rule making process.
2. Paragraph 1 does not apply to state agency rule making for any one or more of the following reasons:
 - a. To fulfill an objective related to job creation in this State.
 - b. To lessen or ease a regulatory burden while achieving the same regulatory objective.
 - c. To prevent a significant threat to the public health, peace or safety.
 - d. To avoid a violation of a court order or federal law that would result in sanctions by a court or federal government against an agency for failure to conduct the rule making action.
 - e. To comply with a federal statutory or regulatory requirement or a state statutory requirement if the applicable statute or regulation contains a date certain for compliance on or before December 31, 2012 or is necessary

Arizona Administrative Register / Secretary of State
Governor's Executive Orders/Proclamations

- under subparagraph (c) of this Paragraph.
- f. To fulfill an obligation related to fees or any other action necessary to implement the state budget that is certified by the Governor's Office of Strategic Planning and Budgeting.
 - g. To promulgate a rule or other item that is exempt from title 41, chapter 6, Arizona Revised Statutes, pursuant to section 41-1005, Arizona Revised Statutes.
 - h. To address matters pertaining to the control, mitigation or eradication of waste, fraud or abuse within a state agency or wasteful, fraudulent or abusive activities perpetrated against a state agency.
3. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any informal or formal rule making pursuant to Paragraph 2 or otherwise without the prior written approval of the Office of the Governor.
 4. This Order applies to all state agencies, except for: (a) any state agency that is headed by a single elected state official, (b) the corporation commission, or (c) any state agency whose agency head is not appointed by the Governor.
 5. All state officials and state agencies that are not subject to this Order pursuant to Paragraph 4 are encouraged to participate voluntarily within the context of their own rule making processes.
 6. State agencies may continue a rule making that was authorized by the Office of the Governor on or after January 22, 2009. All state agencies, subject to this Order pursuant to Paragraph 4, shall report to the Office of Governor by July 29, 2011 all pending rule makings and any pending requests to the Office of Governor for rule making.
 7. This Order does not confer any legal rights upon any persons and shall not be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or to any inaction of a state agency.
 8. For the purposes of this executive order, "person", "rule" and "rule making" have the same meanings prescribed in section 41-1001, Arizona Revised Statutes.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix, Arizona this 30th day of June in the year Two Thousand Eleven and of the Independence of the United States of America the Two Hundred and Thirty-fifth.

ATTEST:
Ken Bennett
Secretary of State